

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2010 No. 89**

**FOOD**

**The Natural Mineral Water, Spring Water and Bottled  
Drinking Water (Scotland) Amendment Regulations 2010**

<i>Made</i>	- - - -	<i>4th March 2010</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>5th March 2010</i>
<i>Coming into force</i>	- -	<i>9th April 2010</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 16(1), 17, 26(1)(a) and (3), 31 and 48(1) of and paragraphs 1 and 4(b) of Schedule 1 to the Food Safety Act 1990 <sup>M1</sup> and all other powers enabling them to do so.

In accordance with section 48(4A) of that Act, the Scottish Ministers have had regard to relevant advice given by the Food Standards Agency <sup>M2</sup>.

There has been consultation as required by Article 9 of Regulation (EC) No. 178/2002 of the European Parliament and of the Council laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety <sup>M3</sup>.

**Marginal Citations**

- M1** 1990 c.16. Section 1(1) and (2) (definition of “food”) was substituted by S.I. 2004/2990; sections 16(1), 17, 31 and 48(1) were amended by paragraph 8 of Schedule 5 to the Food Standards Act 1999 (c.28) (“the 1999 Act”); section 17 was also amended by paragraph 12 of Schedule 5 to the 1999 Act; section 26(3) was amended by paragraph 1 of Schedule 6 to the 1999 Act; section 48(4) is disapplied in respect of these Regulations by virtue of section 48(4C) which was inserted by S.I. 2004/2990; amendments made by Schedule 5 to the 1999 Act shall be taken as pre-commencement enactments for the purposes of the Scotland Act 1998 (c.46) (“the 1998 Act”) by virtue of section 40(2) of the 1999 Act. The functions of the Secretary of State, in so far as within devolved competence were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act. In so far as not so transferred, and in so far as relating to food (including drink) including the primary production of food, relevant functions were transferred to the Scottish Ministers by the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 2005 (S.I. 2005/849).
- M2** Section 48(4A) was inserted by paragraph 21 of Schedule 5 to the 1999 Act.
- M3** O.J. No. L 31, 1.2.02, p.1 as amended by Regulation (EC) No. 1642/2003 of the European Parliament and of the Council (O.J. No. L 245, 29.9.2003, p.4), Commission Regulation (EC) No. 575/2006 (O.J. No. L 100, 8.4.2006, p.3), Commission Regulation (EC) No. 202/2008 (O.J. No. L 60, 5.3.2008, p.17)

---

**Changes to legislation:** *There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Amendment Regulations 2010, Introductory Text. (See end of Document for details)*

---

and Regulation (EC) No. 596/2009 of the European Parliament and of the Council (O.J. No. L 188, 18.7.2009, p.14).

**Changes to legislation:**

There are currently no known outstanding effects for the The Natural Mineral Water, Spring Water and Bottled Drinking Water (Scotland) Amendment Regulations 2010, Introductory Text.